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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA**

JANE DOE, an individual,)	
)	Case No.:
Plaintiff,)	
)	
vs.)	<u>COMPLAINT</u>
)	
THE LIGHT GROUP, LLC, a Nevada limited)	
liability company; YSB NIGHTCLUB, LLC d/b/a)	
Light Nightclub, a Nevada limited liability)	
company; CLUB JUNGLE MANAGEMENT LLC,)	
a Nevada limited liability company; CLUB)	
JUNGLE PERFORMERS LLC, a Nevada limited)	
liability company; MUSTAFA ABDI aka)	
MOOSE DIESEL, an individual,)	
)	
Defendants.)	

Plaintiff, whose name has been withheld due to privacy concerns and fear of retaliation,
 hereby complains and alleges against Defendants as follows:

IDENTIFICATION OF THE PARTIES

1. Plaintiff Jane Doe is a Nevada resident.
2. Defendant employer The Light Group, LLC ("Light Group") is a Nevada limited liability company with its principal place of business in Clark County, Nevada. Light Group is a hospitality, entertainment, and management company that operates numerous nightclubs,

1 restaurants, and adult pools on the Las Vegas strip. Light Group is owned and operated by
2 Andrew Sasson ("Sasson"), Andy Masi ("Masi"), and the Morgans Hotel Group. At all times
3 relevant hereto, Light Group employed Plaintiff.

4 3. Defendant employer YSB Nightclub, LLC d/b/a Light Nightclub ("YSB") is a
5 Nevada limited liability company with its principal place of business in Clark County, Nevada.
6 At all times relevant hereto, YSB employed Plaintiff.

7 4. Defendant employer Club Jungle Management LLC ("Club Jungle Management")
8 is a Nevada limited liability company with its principal place of business in Clark County,
9 Nevada. At all times relevant hereto, Club Jungle Management employed Plaintiff.

10 5. Defendant employer Club Jungle Performers LLC ("Club Jungle Performers") is a
11 Nevada limited liability company with its principal place of business in Clark County, Nevada.
12 At all times relevant hereto, Club Jungle Performers employed Plaintiff.

13 6. Defendant Mustafa Abdi ("Abdi") is a Nevada resident who is more commonly
14 known by the moniker "Moose Diesel" and, according to the Las Vegas Sun, lives by the
15 personal motto "it's time to get drunk and horny." Abdi is the Vice-President of Entertainment
16 for Light Group and was one of Plaintiff's immediate supervisors at Light Nightclub. At all
17 times relevant hereto, Abdi was acting within the course and scope of his employment as the
18 Vice-President of Entertainment for the Defendant employers.

19 JURISDICTION AND VENUE

20 7. This is a civil action seeking damages and all other legal and equitable remedies
21 available under federal law for sexual harassment, discrimination, and hostile work environment
22 in violation of Title VII of the Civil Rights Act of 1964 ("Title VII"), as amended and codified in
23 42 U.S.C. § 2000e *et. seq.*, and the corresponding Nevada Revised Statutes § 613.330 *et. seq.*

24 8. Jurisdiction of the action is conferred on this Court by 28 U.S.C. § 1331 and 28
25 U.S.C. § 1343, as well as § 706(f)(3) of Title VII, 42 U.S.C. § 2000-5(f)(3), and under NRS §

613.330 *et. seq.* This Court also has pendent jurisdiction over Plaintiff's state law tort claims pursuant to 18 USC § 1367.

ADMINISTRATIVE EXHAUSTION

9. On December 6, 2013, Plaintiff filed a Questionnaire and Charge of Discrimination with the Equal Employment Opportunity Commission ("EEOC") complaining of the sexual harassment, discrimination, and hostile work environment described herein.

10. On December 11, 2013, the EEOC issued a Notice of Right to Sue letter.

11. Plaintiff has complied with all prerequisites for jurisdiction in this Court under Title VII including the requirement to file suit within 90 days of issuance of the Notice of Right to Sue letter.

GENERAL ALLEGATIONS

12. Light Group has a longstanding and well-known reputation in the Las Vegas nightclub industry as a hotbed of sexual harassment, discrimination, and mistreatment of its female employees.

13. In that regard, Light Group and multiple managerial employees including Sasson and Masi were sued in 2011 by a former female employee for sexual harassment, discrimination, hostile work environment, and other intentional torts such as assault and battery. *See Jane Doe v. The Light Group, LLC*, United States District Court for the District of Nevada, Case No.: 2:11-CV-00286-RLH-GWF. The unsavory allegations made by this former employee only served to reinforce the sleazy reputation of Light Group, its owners, and managerial employees in the Las Vegas nightclub industry.

14. Rather than seek to improve its image by stopping the rampant sexual harassment and discrimination in its venues, Light Group has instead sought to immunize its managerial employees from liability and lessen the monetary damage and negative publicity that results from litigation. Indeed, Light Group routinely requires its employees to execute unconscionable and

unenforceable legal documents without adequate consideration that seek to remove or waive their rights under state and federal law.

15. In approximately November 2012, Light Group announced that it would open Light Nightclub at Mandalay Bay Hotel & Casino in collaboration with MGM and Cirque du Soleil. Plaintiff applied for employment as a Table Hostess at Light Nightclub in approximately January 2013. When Plaintiff expressed concerns during the interview process about Light Group's reputation for widespread sexual harassment and mistreatment of female employees, she was assured that Light Nightclub would be different due to the involvement of MGM and Cirque du Soleil. Despite MGM's involvement in the initial hiring and orientation process, it eventually became clear that neither MGM nor Cirque du Soleil had any substantial involvement in the day-to-day operations of Light Nightclub.

16. Plaintiff commenced her employment with Light Group in late March 2013 and started at Light Nightclub on April 26, 2013 when it opened to the public. From the beginning of her employment, Plaintiff was instructed to consume alcohol and socialize with high-level employees including Sasson and Abdi while working at Light Nightclub and outside of the workplace. These managerial employees likewise used drugs including cocaine, MDMA, and ecstasy while working and/or socializing at Light Nightclub. Similarly, Plaintiff and her female co-workers were instructed by management to socialize, consume alcohol, and "party" with wealthy guests in and outside of the workplace. This type of improper conduct resulted in a workplace atmosphere that bred sexual harassment, discrimination, and mistreatment of female employees.

17. In that regard, Abdi would regularly hug Plaintiff and demand to be kissed on the mouth almost every day Plaintiff worked at Light Nightclub. While Abdi frequently hugged and kissed other female employees in this manner, he took his sexual advances with Plaintiff to another level. Indeed, Abdi would consistently make vulgar sexual remarks to Plaintiff and

1 attempt to initiate inappropriate sexual contact with Plaintiff. Abdi would likewise try to talk
2 Plaintiff into socializing with him alone outside of the workplace where they could engage in
3 sexual activity.

4 18. For example, Plaintiff attended a Fourth of July party with numerous other
5 employees of Light Nightclub where Abdi was also present. Abdi attempted to convince
6 Plaintiff to travel with him, Sasson, and another female employee to Ibiza, Spain. Abdi's pursuit
7 did not end there as he also jumped in the pool while Plaintiff was swimming, cornered her, and
8 rubbed his genitals on her while asking her to "touch it." Plaintiff was eventually able to fend
9 Abdi off and left the Fourth of July party in tears.

10 19. Approximately two days later, Plaintiff was working at Daylight Beach Club
11 when Abdi requested that Plaintiff speak privately with him. Abdi would sometimes request
12 private discussions in this manner for legitimate purposes when he needed to give direction for
13 work. On this occasion, however, Abdi pulled Plaintiff into a storage room adjacent to the stage
14 and tried to kiss her and forced her to touch his genital area while telling her to come to Ibiza
15 with him.

16 20. On or about July 26, 2013, Abdi again forced Plaintiff to touch his genital area
17 while she was working at Light Nightclub.

18 21. The following day while Plaintiff was working at Light Nightclub, Abdi again
19 pulled her aside to talk and led her into a hallway outside the nightclub. Abdi then unlocked the
20 door to the "green room" that was used to accommodate DJs and other performers at the
21 nightclub. After entering the room with Plaintiff, Abdi immediately locked the door, pushed
22 Plaintiff against a wall and demanded that she kiss him. He made multiple vile and vulgar
23 comments about sexual acts, pushed her onto a couch, and forcibly attempted to perform oral sex
24 on her. After Plaintiff protested, Abdi stopped his non-consensual attack and allowed Plaintiff to
25 leave the "green room" but not before he forced her to kiss him on the mouth again.

1 22. On October 14, 2013, Abdi approached Plaintiff from behind while she was
2 working at Light Nightclub and licked her neck while making lewd and lascivious comments.
3 Before ceasing his repulsive and invasive advance, Abdi informed Plaintiff that “we better
4 [expletive] before the end of the year,” which Plaintiff felt was a clear message that Abdi would
5 terminate her employment if she did not engage in sexual activity with him before the end of the
6 year.

7 23. Plaintiff never encouraged, welcomed or consented to the sexual harassment or
8 lewd advances of Abdi. Nevertheless, Plaintiff was precluded from complaining to other
9 managerial employees or Human Resources about Abdi’s advances due to fear of retaliation. To
10 be sure, female employees who did not participate in the “party” atmosphere or play along with
11 the sexual advances of managerial employees would be given less hours, reassigned from more
12 profitable sections of the nightclub such as the dance floor to less profitable areas like the
13 mezzanine, or terminated from their employment altogether. Conversely, female employees who
14 engaged in sexual activity with managerial employees were rewarded with improved treatment
15 including better hours and assignments to more profitable areas of the nightclub.
16

17 24. Female employees of Light Group including Plaintiff were also instructed by their
18 managers not to discuss the workplace atmosphere with outsiders. For example, on or about
19 August 22, 2013, Director of Operations for Light Group, John Pettei, held a meeting with the
20 female employees including Plaintiff. The purpose of this meeting was to instruct the female
21 employees not to discuss events that happened in the workplace with those outside of Light
22 Nightclub. Pettei told the female employees to “shut their mouths” and specifically stated “what
23 happens in the club stays in the club.” Pettei further informed the female employees that those
24 who discussed the workplace environment would “ruin the fun for everyone.” Pettei likewise
25 made a variety of derogatory comments about the female employees’ weight in the form of
26 instructions to “lay off the fried food” and ride a bicycle to work.
27
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1 25. It was likewise accepted that any complaints to Human Resources would be futile
2 because the members of that department including the Vice-President of Human Resources,
3 Susie McDaniel, were more concerned with covering up the wrongful acts of high-level
4 employees than remedying the pervasive sexual harassment and discrimination.

5 26. Light Group and, more specifically, McDaniel, confirmed the company's sordid
6 approach to addressing complaints of sexual harassment and illegal conduct by managerial
7 employees once it was put on notice of Plaintiff's specific claims and factual allegations.¹
8 Indeed, managerial employees including Abdi spread rumors among the employees of Light
9 Nightclub that Plaintiff had made false charges of sexual harassment and battery against Abdi.
10 This behavior was designed to embarrass, humiliate, shame or otherwise render Plaintiff a pariah
11 in the workplace.

12 27. Then, on December 18, 2013, Light Group directed all employees of Light
13 Nightclub including Plaintiff to attend a meeting at the Kumi Restaurant in Mandalay Bay Hotel
14 & Casino. Multiple managerial employees including McDaniel and Pettei were in attendance
15 and responsible for conducting the meeting. When Plaintiff entered the venue, McDaniel
16 conspicuously pulled Plaintiff aside and informed her that she must leave because the meeting
17 concerned her complaints of sexual harassment and other illegal behavior. McDaniel then
18 humiliated Plaintiff by escorting her from the room in full view of her fellow employees as
19 members of management spitefully waved at her. After this public shaming of Plaintiff, the
20 aforementioned members of management brazenly intimidated and compelled the employees to
21 execute questionnaires to the effect that they had never witnessed any act of drug use, forced
22 consumption of alcohol, assault, sexual battery or harassment of any kind. Despite the
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27 ¹ In the interest of avoiding litigation, Defendants' attorney requested and was given a draft
28 of the instant complaint as well as a draft complaint for second female employee on December 13,
2013. Defendants then asked for, and received, multiple extensions of time to explore a good
faith settlement of the claims before the complaints were filed.

1 representations by management that these questionnaires were “confidential,” the employees of
 2 Light Nightclub were forced to print and sign their names so that any employees who told the
 3 truth could be subject to unlawful retaliation.

4 28. Light Group has routinely used this method of gathering coerced statements from
 5 employees in response to previous complaints of misconduct and sexual harassment by
 6 managerial employees. The conduct of Light Group and its Human Resources in this regard is at
 7 extreme variance with well-established and recognized human resource protocols and constituted
 8 an illegal employment action under state and federal law.

9 29. As a result of the hostile work environment at Light Nightclub and Abdi’s
 10 extreme sexual harassment, Plaintiff has suffered great pain of mind and body, severe and
 11 permanent emotional distress, embarrassment, loss of self-esteem, humiliation, and
 12 psychological injuries.

13 FIRST CAUSE OF ACTION

14 (Sexual Harassment and Discrimination Under Title VII and NRS § 613.330 – All

15 Defendants)

16 30. Plaintiff incorporates the allegations in the preceding and ensuing paragraphs as
 17 though fully set forth herein.

18 31. Plaintiff is a woman and a member of a protected group or class, and is entitled to
 19 those protections outlined in Title VII.

20 32. Plaintiff suffered unwelcome and offensive sexual advances from Abdi
 21 constituting sexual harassment and discrimination because she is a woman.

22 33. The sexual harassment and discrimination suffered by Plaintiff was so frequent,
 23 severe, pervasive, threatening and humiliating that it altered the terms and conditions of her
 24 employment.

34. Defendants knew or should have known of the sexual harassment and discrimination suffered by Plaintiff but failed to protect Plaintiff or take any remedial action.

35. As a result of Abdi's wrongful conduct and Defendants' acquiescence thereto, Plaintiff suffered damages in an amount to be proven at trial.

36. Defendants' actions were willful, malicious and oppressive, thereby entitling Plaintiff to punitive damages in an amount to be proven at trial.

37. Plaintiff has been forced to retain the services of attorneys to prosecute this action and is entitled to an award of reasonable attorneys' fees and costs.

SECOND CAUSE OF ACTION

(Hostile Work Environment Under Title VII – All Defendants)

38. Plaintiff incorporates the allegations in the preceding and ensuing paragraphs as though fully set forth herein.

39. Plaintiff is a woman and a member of a protected group or class, and is entitled to those protections outlined in Title VII.

40. Plaintiff suffered unwelcome and offensive sexual advances from Abdi constituting sexual harassment because she is a woman.

41. The sexual harassment suffered by Plaintiff was so frequent, severe, pervasive, threatening and humiliating that it altered the conditions of her employment and created an abusive, intimidating, oppressive, and hostile work environment such that both Plaintiff and a reasonable, objective person in her position would perceive the abusive environment.

42. Defendants knew or should have known of the hostile work environment that Plaintiff was subjected to but failed to protect Plaintiff or take any remedial action.

43. Defendants likewise failed to adequately supervise, control, discipline, and penalize the wrongful conduct of its employees including Abdi.

1 44. Defendants also failed to take all reasonable and necessary steps to eliminate
2 sexual harassment and discrimination from the workplace and prevent it from occurring in the
3 future.

4 45. As a result of Abdi's wrongful conduct and Defendants' acquiescence thereto,
5 Plaintiff suffered damages in an amount to be proven at trial.

6 46. Defendants' actions were willful, malicious and oppressive, thereby entitling
7 Plaintiff to punitive damages in an amount to be proven at trial.

8 47. Plaintiff has been forced to retain the services of attorneys to prosecute this action
9 and is entitled to an award of reasonable attorneys' fees and costs.

10 **THIRD CAUSE OF ACTION**

11 **(Unlawful Retaliation Under Title VII and NRS § 613.340 – All Defendants)**

12 48. Plaintiff incorporates the allegations in the preceding and ensuing paragraphs as
13 though fully set forth herein.

14 49. Title VII and NRS § 613.340 prohibit discrimination against an employee who
15 engaged in protected activity by making a charge of an unlawful employment practice including
16 sexual harassment and hostile work environment.

17 50. Plaintiff engaged in protected activity by making a charge of discrimination with
18 the EEOC and notifying Defendants of her intention to file the instant lawsuit alleging sexual
19 harassment, hostile work environment and other intentional torts.

20 51. As a direct and proximate cause of Plaintiff engaging in protected activity,
21 Defendants discriminated and took adverse employment actions against Plaintiff by attempting to
22 embarrass, humiliate, and shame her by spreading rumors with other employees of Light
23 Nightclub that Plaintiff intended to bring a lawsuit for sexual harassment and hostile work
24 environment.
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52. As a direct and proximate cause of Plaintiff engaging in protected activity, Defendants further discriminated and took adverse employment actions against Plaintiff by publicly humiliating, embarrassing, and shaming her during the December 18, 2013 meeting at Kumi Restaurant in Mandalay Bay Hotel and Casino.

53. As a result of Defendants' wrongful conduct, Plaintiff suffered damages in an amount to be proven at trial.

54. Defendants' actions were willful, malicious and oppressive, thereby entitling Plaintiff to punitive damages in an amount to be proven at trial.

55. Plaintiff has been forced to retain the services of attorneys to prosecute this action and is entitled to an award of reasonable attorneys' fees and costs.

FOURTH CAUSE OF ACTION

(Assault – All Defendants)

56. Plaintiff incorporates the allegations in the preceding and ensuing paragraphs as though fully set forth herein.

57. Abdi caused Plaintiff to feel apprehension of harmful or offensive contact to her person on numerous occasions during the course of her employment with Defendants.

58. Abdi engaged in this wrongful conduct while acting in the course and scope of his employment with Defendants and accomplished his illegal purpose by virtue of his authority as an executive employee of Defendants. In addition, Abdi acted under the Defendant employers' direct supervision, employ, and control when he committed the wrongful acts alleged herein.

59. As a direct and proximate result of Defendants' wrongful conduct, Plaintiff suffered damages in an amount to be determined at trial.

60. Defendants' actions were willful, malicious and oppressive, thereby entitling Plaintiff to punitive damages in an amount to be proven at trial.

61. Plaintiff has been forced to retain the services of attorneys to prosecute this action and is entitled to an award of reasonable attorneys' fees and costs.

FIFTH CAUSE OF ACTION

(Battery – All Defendants)

62. Plaintiff incorporates the allegations in the preceding and ensuing paragraphs as though fully set forth herein.

63. On numerous occasions, Abdi made intentional, unlawful, and harmful contact with Plaintiff.

64. Abdi engaged in this wrongful conduct while acting in the course and scope of his employment with Defendants and accomplished his illegal purpose by virtue of his authority as an executive employee of Defendants. In addition, Abdi acted under the Defendant employers' direct supervision, employ, and control when he committed the wrongful acts alleged herein.

65. As a direct and proximate result of Defendants' wrongful conduct, Plaintiff suffered damages in an amount to be determined at trial.

66. Defendants' actions were willful, malicious and oppressive, thereby entitling Plaintiff to punitive damages in an amount to be proven at trial.

67. Plaintiff has been forced to retain the services of attorneys to prosecute this action and is entitled to an award of reasonable attorneys' fees and costs.

SIXTH CAUSE OF ACTION

(Intentional Infliction of Emotional Distress – All Defendants)

68. Plaintiff incorporates the allegations in the preceding and ensuing paragraphs as though fully set forth herein.

69. Abdi's intentional conduct was extreme and outrageous and committed with the intention of, or reckless disregard for causing emotional distress to Plaintiff.

70. Abdi engaged in this wrongful conduct while acting in the course and scope of his employment with Defendants and accomplished his illegal purpose by virtue of his authority as an executive employee of Defendants. In addition, Abdi acted under the Defendant employers' direct supervision, employ, and control when he committed the wrongful acts alleged herein.

71. As a direct and proximate result of Defendants' wrongful conduct, Plaintiff suffered severe and extreme emotional distress, along with damages in an amount to be determined at trial.

72. Defendants' actions were willful, malicious and oppressive, thereby entitling Plaintiff to punitive damages in an amount to be proven at trial.

73. Plaintiff has been forced to retain the services of attorneys to prosecute this action and is entitled to an award of reasonable attorneys' fees and costs.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants, and each of them, as follows:

1. For compensatory damages in an amount to be proven at trial;
2. For punitive damages in an amount to be proven at trial;
3. For pre-judgment and post-judgment interest, as allowed by law;
4. For attorney fees and costs of suit incurred herein, as allowed by law, in an amount to be determined; and

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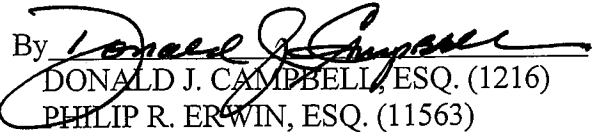
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5. For such other and further relief as the Court may deem just and proper.

DATED this 23rd day of December, 2013.

CAMPBELL & WILLIAMS

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